

Serial No.: 10/655,825

### **REMARKS**

Applicants respectfully request reconsideration of this Patent Application, particularly in view of the above Amendment and the following remarks.

The Amendment After Final Rejection filed on 12 July 2005 is not to be entered. This Amendment is to be entered instead. No additional claim fee is required for this Amendment as the number of independent claims has not changed, and the total number of claims is less than originally filed.

### **Request for Telephone Interview**

Applicants kindly request the Examiner to contact the undersigned, Mark Swanson, at (847) 490-1400 to schedule a telephone interview, to discuss the merits of this Patent Application.

### **Amendments to the Claims**

Applicants amended Claim 1 to recite a base shoulder and a top portion tab portion that form an integrated carry handle in the closed position. Support for this Amendment can be found, for example, in FIGS. 1, 2 and 8, and page 9, first full paragraph, of Applicants' Specification. Applicants canceled Claims 3 and 4 in view of amended Claim 1.

Serial No.: 10/655,825

Applicants amended Claim 13 to recite concave recessed portions in the legs. Support for this Amendment can be found, for example, at page 10, last paragraph, of Applicants' Specification.

Applicants amended Claim 25 to include limitations from dependant Claim 27.

Applicants added new Claims 28-31. New Claims 28 and 29 include limitations of original Claims 9 and 10. Support for new Claim 30 can be found, for example, at page 9, first full paragraph, of Applicants' Specification. Support for new Claim 31 can be found, for example, at page 10, last paragraph, of Applicants' Specification.

No new matter has been added to the claims by this Amendment.

#### **Claim Rejection - 35 U.S.C. § 102(b)**

Claims 24, 25 and 27 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Design Patent D455,025 to Weitzman et al. (hereinafter "Weitzman"). This rejection is respectfully traversed, particularly in view of the above Amendment and the following remarks.

Independent Claim 25, as amended, requires each leg to have opposing edge portions having an arcuate shape. Each opposing edge portion curves inwardly

Serial No.: 10/655,825

with respect to the portable desk and the arcuate shape corresponds to at least a portion of the first side wall or the second side wall.

Weitzman discloses a design for a collapsible computer table. Weitzman does not disclose each leg including opposing **edge portions** having an arcuate shape, and each curving inwardly with respect to the portable desk with the arcuate shape corresponding to at least a portion of the first side wall or the second side wall, as required by Applicants' claimed invention.

Weitzman does not disclose each and every element or limitation of independent Claim 25, as required for a reference to anticipate a claim under 35 U.S.C. § 102. Accordingly, Applicants respectfully request withdrawal of this rejection.

#### **Claim Rejections - 35 U.S.C. § 103(a)**

Claims 1, 3-6, 8, 11, 13, 17-20 and 22 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 4,049,091 to Chubb (hereinafter "Chubb") in view of Weitzman and U.S. Patent 1,309,774 to Otte (hereinafter "Otte"). This rejection is respectfully traversed, particularly in view of the above Amendment and the following remarks.

Amended independent Claim 1 requires a base including a shoulder formed in a side wall, and a top portion including a tab portion. When the top portion

Serial No.: 10/655,825

is in the closed position, the tab portion is disposed over the shoulder to form an integrated carry handle.

Neither Chubb, Weitzman, Otte, nor the combination of these references teaches or suggests Applicants' recited claim elements. Chubb discloses a separate handle attached only to the base portion. Weitzman and Otte neither disclose nor suggest an opening top portion in combination with a base portion or the recited integrated handle. The combination of the cited references does not provide or suggest all limitations of Applicants' claimed invention. Thus, Applicants' invention of amended Claim 1 would not have been obvious to one skilled in the art in view of the cited references.

Amended independent Claim 13 recites a concave recessed portion formed in a center region of an outer surface of each of two legs. The Examiner alleged Weitzman discloses legs having a "concave portion." However, Applicants' claimed invention includes a concave recessed portion, not merely a "concave portion." As can be clearly seen in FIGS. 2-4 of Weitzman, the alleged "concave portion" of Weitzman is an opening, not a recessed portion as in Applicants' claimed invention. Therefore, the combination of Chubb, Weitzman, Otte does not provide or suggest all of Applicants' claimed elements. Furthermore, it would not have been obvious to one skilled in the art to provide the legs of Chubb with concave recessed

Serial No.: 10/655,825

portions, such as Applicants', as Chubb discloses a flat table with thin, flat-collapsing legs for attaching to the bottom or fits in an attache case.

The above Amendment and remarks overcome the rejection of Claims 1, 3-6, 8, 11, 13, 17-20 and 22 under 35 U.S.C. § 103(a) as being unpatentable over Chubb in view of Weitzman and Otte. Accordingly, Applicants respectfully request withdrawal of this rejection.

Claims 2, 12, 14 and 15 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Chubb in view of Weitzman and Otte as applied to the claims above, and further in view of U.S. Patent 6,164,213 to Topps et al. (hereinafter "Topps"). This rejection is respectfully traversed, particularly in view of the above Amendment and the following remarks.

Claims 2 and 12 depend from and further limit amended independent Claim 1, which Applicants believe is patentable for at least the reasons presented above. Claims 14 and 15 ultimately depend from and further limit amended independent Claim 13, which Applicants believe is patentable for at least the reasons presented above. Thus, the above Amendment and remarks overcome the rejection of Claims 2, 12, 14 and 15 as being unpatentable over Chubb in view of Weitzman and Otte as applied to the claims above, and further in view of Topps. Accordingly, Applicants respectfully request withdrawal of this rejection.

Serial No.: 10/655,825

### **Allowable Subject Matter**

The undersigned thanks Examiner Chen for his efforts in indicating that Claims 7 and 16 contain allowable subject matter.

### **Conclusion**

It is believed that the above Amendment places all pending claims in condition for allowance and notification to that effect is solicited. However, should the Examiner detect any remaining issue or have any question, the Examiner is kindly requested to contact the undersigned, preferably by telephone, in an effort to expedite examination of this Patent Application.

Respectfully submitted,



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